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12  
13 **UNITED STATES DISTRICT COURT**  
**EASTERN DISTRICT OF WASHINGTON**

14 HANFORD CHALLENGE, *et al.*,  
15

16 Plaintiffs,

17 v.

18 JENNIFER M. GRANHOLM, in  
19 her official capacity as Secretary of  
20 the United States Department of  
Energy, *et al.*,

21 Defendants.  
22

NO. 4:15-cv-5086-TOR  
(consolidated with 4:15-cv-  
5087-TOR)

**JOINT STATUS REPORT**

1 Plaintiff State of Washington, Plaintiffs Hanford Challenge and United  
2 Association of Plumbers and Steamfitters Local Union 598, Defendants Jennifer  
3 M. Granholm, Secretary of the United States Department of Energy,<sup>1</sup> and the  
4 United States Department of Energy, and Defendant Washington River  
5 Protection Solutions, LLC, hereby submit this Joint Status Report and request  
6 that this Court require the parties to file another status report on or before  
7 February 1, 2028.

8  
9 The parties report as follows:

10 1. On October 16, 2018, the parties informed this Court that they had  
11 reached a settlement. ECF No. 256.

12 2. At that time, the parties also informed this Court that, under the  
13 Settlement Agreement, Plaintiffs would not pursue their claims during the time  
14 that the Settlement Agreement is effective. *Id.* In addition, the parties explained  
15 that the Settlement Agreement includes a termination provision with a date of  
16 March 1, 2022; however, the Agreement may be terminated beforehand under  
17 certain circumstances and, conversely, the parties may extend the time that the  
18 Agreement is effective. *Id.* The parties stated that they could not then predict  
19 whether future litigation would be necessary or appropriate. *Id.*

20 3. On October 30, 2018, this Court granted the parties' motion to  
21 place this matter under an administrative stay. ECF No. 257. This Court's stay  
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25 <sup>1</sup> A new Secretary of Energy will be automatically substituted as a defendant in  
26 his official capacity. Fed. R. Civ. P. 25(d).

1 order provided that “[t]his consolidated case is STAYED until further Order of  
2 the Court.” *Id.* The stay order also stated that “[a]ny party seeking to re-open  
3 this matter shall so move the Court.” *Id.* In addition, at the parties’ request, the  
4 stay order required that the parties “submit a joint status report on or before  
5 February 1, 2022, if this matter has not been re-opened prior to that time.” *Id.*  
6

7       4. On February 1, 2022, the parties submitted a joint status report that,  
8 among other things, stated that the parties were discussing a possible extension  
9 of the March 1, 2022 termination date included in the Settlement Agreement,  
10 and asked the Court to enter an order that required the parties to submit a status  
11 report on or before February 1, 2025, if this matter has not been re-opened prior  
12 to that time. ECF No. 258. Also on February 1, 2022, this Court entered an order  
13 requiring the parties to submit a joint status report on or before February 1,  
14 2025, if this matter has not been re-opened before then. ECF 259.  
15

16       5. The Settlement Agreement remains effective, and none of the  
17 parties has moved this Court to re-open the litigation. In addition, the parties  
18 have agreed to a separate modification that extends the March 1, 2022  
19 termination date included in the Settlement Agreement to February 1, 2028.  
20 Furthermore, that modification provides that additional work under the  
21 Settlement Agreement currently is projected to be completed by June 30, 2027,  
22 and that the parties are scheduled to commence further negotiations no later than  
23 August 1, 2027.  
24  
25  
26

1       6.     None of the parties seeks to re-open this consolidated case at this  
2 time. Instead, the parties believe that continuing the administrative stay of this  
3 case is appropriate.

4       7.     No action by this Court is required to continue the administrative  
5 stay. However, the parties suggest that this Court enter an order that requires the  
6 parties to submit a status report on or before February 1, 2028, if this matter has  
7 not been re-opened prior to that time.

8       8.     A proposed order is being submitted with this Joint Status Report.

DATED this 31<sup>st</sup> day of January, 2025.

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